IN THE CLAIMS

Please amend the claims as follows:

- 1. (original) An optical data storage medium for at least read out using a focused radiation beam with a wavelength λ and a Numerical Aperture (NA), entering through an entrance face of the medium during read out, comprising at least:
 - -a substrate with present on a side thereof:
- -a first stack of layers named L0 comprising a first information layer,
- -a radiation beam transparent cover layer adjacent the entrance face,
- -a transmission stack named TSO with a thickness d_{TSO} and containing all layers between LO and the entrance face, characterized in that

the maximum deviation of d_{TS0} from respectively the average values of d_{TS0} of a predetermined area of the medium does not exceed a predetermined value DEV d_{TS0} , measured over the information area of the medium and DEV d_{TS0} is set in dependency of λ and NA.

- 2. (original) An optical data storage medium according to claim
- 1, wherein DEVd_{TSO} = ± 3 μ m.
- 3. (original) An optical data storage medium according to claim
- 1, with at least
- -one further stack of layers named Ln and n an integer ≥

 1, Ln comprising a further information layer and being present at a

 position closer to the entrance face than L0,
- -a radiation beam transparent spacer layer between each of LO to Ln, and
- -a transmission stack named TSn with a thickness d_{TSn} and containing all layers between Ln and the entrance face, wherein the maximum deviation of d_{TSn} does not exceed a predetermined value DEV d_{TSn} , measured over the information area of the medium and DEV d_{TSn} is set in dependency of λ and NA.
- 4. (original) An optical data storage medium according to claim 3, wherein DEVd_Tsn = $\pm 3~\mu m$.
- 5. (original) An optical data storage medium according to claim
- 1, wherein DEVd_{TS0} = $\pm 2 \mu m$.

- 6. (original) An optical data storage medium according to claim 3, wherein only one further stack of layers named L1 is present, comprising a further information layer, DEVd_{TS0} = ± 2 µm and DEVd_{TS1} = ± 2 µm, λ is in the range 400 nm 410 nm and NA is in the range 0.84 0.86.
- 7. (currently amended) Use of an optical data storage medium as claimed in any one of the preceding claims claim 1 for reliable data read out from at least one information layer.